

Minutes

Clark County Planning Commission

Regular Meeting ~ 2:00 pm.
Wednesday, June 3, 2015

Springview Government Center
3130 East Main Street
Springfield, Ohio 45505

Mrs. Elaine Stevenson, Chairperson of the Clark County Planning Commission of Clark County Ohio, calls the meeting to order at 2:00 pm.

Present: Mrs. Elaine Stevenson, Ms. Jo Anderson, Mrs. Nora Parker, Mr. David Minard, Ms. Janie Riggs, Mr. Mark Scholl, Commissioner Herier, and Commissioner Lohnes

Absent: Mrs. Charlene Roberge, Mr. Jim Burkhardt, and Commissioner Detrick

Chairperson Stevenson asks if there are any corrections or amendments to the minutes. Mrs. Parker stated that at the very bottom of page 7 the word unanimously needs to be deleted.

CPC: 6-17-2015: Minutes ~ May 6, 2015 ~ Regular Meeting

Motion by Mrs. Parker, seconded by Ms. Anderson to **Approve** the minutes after making the correction noted on page 7.

VOTE: Yes: Mrs. Parker, Ms. Anderson, Mrs. Stevenson, Mr. Minard, Commissioner Herier, and Commissioner Lohnes

No: None

Abstain: Mr. Scholl

Motion carried.

Mrs. Charlene Roberge arrives at 2:04 pm.

Chairperson Stevenson presents the case and asked Mr. Neimayer for the Staff Report.

Z-2015-06~ Rezoning ~ Property Owner: Philip Crenshaw ~ Applicant: Shane Nugent ~ Location 208 Sycamore Street ~ 0.32 acres from R-2A to B-3 'S' ~ Bethel Township

Mr. Neimayer stated that the subject property, PID #010-05-00019-308-020, consists of 0.32 acres and is currently zoned R-2A (Medium Density Single-Family Residence District). In response to a zoning complaint, the Applicant received approval in July 2013 in rezoning the adjacent property at 204 Sycamore St. to B-3'S' to bring the existing collision center minor repair business that has been operating at that location for many years into the proper zoning district. The Applicant now has the opportunity to acquire the adjacent subject property at 208 Sycamore to be used in the same business.

Mr. Neimayer also stated that the subject property has an existing building of approximately 22 ft. by 50 ft. that is located along the common lot line with 204 Sycamore St. That building is non-compliant in terms of setback requirements. Approving the rezoning request along with the Applicant combining both parcels would resolve that issue. The original zoning map for Bethel Township, November 3, 1964, shows the subject property was zoned R-2 (One Family Residence District). The current zoning of the property is R-2A (Medium Density Single-Family Residence District) in accordance with the 1984 County Zoning Regulations. The subject property is serviced by public sanitary sewer service only.

Mr. Neimayer stated that the CROSSROADS Land Use Plan identifies the subject area in Bethel Township as *"Agriculture/Rural Residential"*: *"Predominantly rural portions of the County, where agriculture should remain the priority, are designated as Agriculture/Rural Residential. This designation emphasizes agriculture as the dominant land use, but also recognizes that residential uses are appropriate if very low density in character (less than one dwelling per two acres – gross density) and/or clustered to preserve significant open space features (such as prime agricultural soils)"*.

Mr. Neimayer stated that In the Applicant's 2013 rezoning case, Staff had recommended against the rezoning request as the property in question was completely surrounded by single-family residential uses. The same is true for this current rezoning case. However, since that prior rezoning case was approved with the Specific Use designation for only the collision center minor repair business and with the Applicant requesting the same zoning designation for the same use, Staff supports that request subject to the following: 1) the Applicant combines both parcels into one; and 2) the Applicant extends the existing privacy fencing around the business area.

Mr. Neimayer stated that as far as utilities there are no issues. The property is on public sewer only and there are no plans for the water use to increase.

Mr. Neimayer asked if there were any questions from the Board.

Mrs. Roberge asked if anyone has made a complaint or if the office has received any letters related to this request.

Mr. Neimayer stated that there have been no complaints or letters received.

Chairperson Stevenson stated that she wanted to clarify when the fence will go once combined.

Mr. Neimayer stated that the fence would be an extension of the current fencing depending on how the business will be used.

Chairperson Stevenson asked if the fencing would screen the view from the road, side and also to the rear of the property.

Mr. Neimayer stated that is correct. Since the business is next to residential screening would be required by code. He asked the Board to let the Applicant explain his plans for screening.

Chairperson Stevenson asked to hear from the Applicant.

Mr. Douglas A. Fannin, whose address is 205 W. Main Street, Fairborn, stated that he is the Attorney representing Shane Nugent who is the business owner. Mr. Nugent recently purchased, by land contract, the property to the north. Mr. Crenshaw is still the owner of the property.

Mr. Fannin stated that he will hold questions concerning the fencing for Mr. Nugent to answer.

Mr. Fannin stated that the real purpose to purchase the property was to get access to more ground, but mostly for the use of the two car garage. There is no intent to build additional buildings at this time. There is a gravel driveway currently to the two car garage.

Mr. Fannin also stated that the goal once this rezoning would be approved, is to add garage doors to the rear side of the garage to have access from the existing building. The large garage doors on the front of the building would not be used.

Mr. Fannin stated that the only issue is the request for the Applicant to combine both parcels into one. That is problematic since Mr. Crenshaw is still the owner of the parcel in question. The land contract is for three years and at that time the combination could be considered.

Chairperson Stevenson asked if the Applicant could explain how long cars would be stored on the property and how many cars there might be at one time.

Mr. Shane Nugent, whose address is 204 Sycamore Street, stated that there is no set number of cars there, the turnover is rather quick. Most of the work that is done is late model collision insurance claims.

Mr. Nugent stated that is one reason they would like to have use of the other garage for storage. The goal is to keep all the cars in the back so they cannot be seen from the road.

Chairperson Stevenson stated that her concern was that the business was located in a residential neighborhood and the property values of the surrounding homes.

Mr. Nugent stated the property is kept very clean.

Mrs. Roberge asked who the property owners behind the business were.

Mr. Nugent stated that one of the homes was in foreclosure and one was owned by Linda Meyer.

Chairperson Stevenson wanted to reiterate to be a good neighbor and protect the property values of the surrounding homes.

Chairperson Stevenson asked the Board if there were any further questions.

Mrs. Parker asked Mr. Nugent what was located at the side of the existing building for the business.

Mr. Nugent stated that there is a drive and behind the fence is all the furnace equipment for the business. The drive is not used currently.

Mrs. Parker asked Mr. Neimayer if the property was non-compliant.

Mr. Neimayer stated that they would be grandfathered in. It would still be recommended to combine the lots when possible.

Mr. Nugent presented photos to the Board.

Chairperson Stevenson asked if there were any further questions from the Board. There were none.

Chairperson Stevenson stated that this is a public meeting not a public hearing. She asked if anyone else would like to speak concerning the case. There were none.

With no further discussion, Chairperson Stevenson asked for a motion.

CPC: 6-18-2015: Z-2015-06: Rezoning ~ Property Owner: Philip Crenshaw ~ Applicant: Shane Nugent ~ Location 208 Sycamore Street ~ 0.32 acres from R-2A to B-3 'S' ~ Bethel Township

Motion by Mrs. Roberge, seconded by Mrs. Stevenson, to **Approve** the proposed rezoning as presented with the conditions of the Staff request for fencing and the attempt for the Applicant to combine the two parcels after acquiring it.

VOTE: Yes: Mrs. Roberge, Mrs. Stevenson, Mr. Minard, Mrs. Parker, Mr. Burkhardt, Commissioner Detrick, Commissioner Herier and Commissioner Lohnes.

No: None.

Motion carried unanimously.

Mr. Neimayer informs the Board of the upcoming rezoning cases.

Staff Comments

Mr. Neimayer stated that the next scheduled meeting will be Wednesday, July 1, 2015.

Adjournment CPC: 6-19-2015: Adjournment

Motion by Commissioner Lohnes, seconded by Mrs. Charlene Roberge, to adjourn the meeting.

VOTE: Motion carried unanimously.

The meeting was adjourned at 2:35 pm.

Mrs. Stevenson, Vice-Chairperson

Mr. Thomas A. Hale, Secretary